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| KLARQUIST SPARKMAN LLP 121 S.W. SALMON STREET SUITE 1600 PORTLAND, OR 97204 | | | EXAMINER KISS, ERIC B | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/679,254

Applicant(s)

DAS ET AL.

Examiner

Eric B. Kiss

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2007.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7,14,15,21,24-37 and 41-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7,14,15,21,24-37 and 41-55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 20070820.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. The reply filed August 20, 2007, has been received and entered. Claims 7, 14, 15, 21, 24-37, and 41-55 are pending.

Response to Amendment

2. Applicant's cancellation of claims 6 and 38-40 renders the rejection under 35 U.S.C. § 101 moot.
3. The rejection of claim 7 under 35 U.S.C. 102(b) as being anticipated by [Mey1987] is withdrawn.

Response to Arguments

4. Applicant's arguments filed August 20, 2007, have been fully considered but they are not persuasive.

In response to applicant's arguments on p. 9, the examiner maintains that the Splint manual discloses at least one annotation comprises a property that indicates a characteristic of the buffer, wherein the property that indicates the characteristic of the buffer takes a size argument, and wherein the size argument comprises a location of a second pointer associated with the buffer. Specifically, the sample buffer annotations on p. 49 describe such features. In the first example on p. 49, the size parameters are specified through maxSet (the highest address (i.e., a pointer) that can be safely used as an lvalue) and maxRead (the highest index of a buffer (i.e., a pointer specified as an offset) that can be safely used as an rvalue), and in the second example, an additional size argument, "size_t n" is provided and this size indicates the location of the end pointer of the buffer (i.e., as an offset)).

In response to applicant's arguments on pp. 10-11, the examiner maintains that the Splint manual discloses a keyword that also can be used to indicate that other values having different value types satisfy all usability properties necessary to allow functions to rely on the other values. Specifically, section 7.5 of the Splint manual describes "requires" and "ensures" clauses, where the keywords "requires" and "ensures" are usable in multiple type contexts.

In response to applicant's arguments on pp. 11-12, the examiner maintains that the Splint manual discloses an annotation that overrides a first set of usability properties of a first declared value type and indicates that the value has usability properties that depend on the properties of a second value type denoted by the argument of the annotation. Specifically, pp. 24 and 57 describe the alt annotation as overrides the type checking by adding alternative types, which incorporates the type checking associated with the newly added types.

In response to applicant's arguments on pp. 12-13, the examiner maintains that the Splint manual discloses a size parameter operable to describe the portion of the buffer using a size specification selected from a group of plural different size specifications comprising: byte count, element count, end pointer location, internal pointer location, sentinel position. Specifically, section 9.1, describes the maxSet and maxRead properties, where maxSet is the location of the writable extent of the buffer, i.e., the end pointer, and maxRead is the location of a null character within a character array buffer, i.e., an internal pointer location.

Claim Rejections - 35 USC § 102

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims 7, 14, 15, 21, 24-37, and 41-55 are rejected under 35 U.S.C. 102(a) as being anticipated by Evans et al., “Splint Manual, Version 3.1.1-1,” June 5, 2003 (prior art of record; hereinafter “[Splint]”).

As per claim 7, [Splint] discloses:

inserting one or more code annotations at one or more annotation targets (see, e.g., p. 13, describing annotations);

wherein the one or more annotations comprise at least one annotation on a first pointer to a buffer, wherein the at least one annotation comprises a property that indicates a characteristic of the buffer, wherein the property that indicates the characteristic of the buffer takes a size argument, and wherein the size argument comprises a location of a second pointer associated with the buffer (see, e.g., the sample buffer annotations on p. 49 (in the first example, the size parameters are specified through maxSet (the highest address (i.e., a pointer) that can be safely used as an lvalue) and maxRead (the highest index of a buffer (i.e., a pointer specified as an offset) that can be safely used as an rvalue), and in the second example, an additional size argument, “size_t n” is provided and this size indicates the location of the end pointer of the buffer (i.e., as an offset)).

As per claim 14, [Splint] further discloses the characteristic is a readable extent of the buffer (see, e.g., section 9.1, describing the maxRead property).

Regarding claim 44, [Splint] further discloses using the location of the second pointer associated with the buffer to determine the readable extent of the buffer (see, e.g., section 9.1, describing the maxRead property).

As per claim 15, [Splint] further discloses the characteristic is a writable extent of the buffer (see, e.g., section 9.1, describing the maxSet property).

Regarding claim 45, [Splint] further discloses using the location of the second pointer associated with the buffer to determine the writable extent of the buffer (see, e.g., section 9.1, describing the maxSet property).

As per claim 21, [Splint] further discloses the one or more code annotations include an annotation prefix (see, e.g., section 9.1, describing the maxRead property).

Regarding claim 41, [Splint] further discloses using the location of the second pointer associated with the buffer to determine the size of the buffer (see, e.g., section 9.2, describing annotating buffer sizes).

Regarding claim 42, [Splint] further discloses the second pointer associated with the buffer being an end pointer for the buffer (maxSet is the location of the writable extent of the buffer, i.e., the end pointer).

Regarding claim 43, [Splint] further discloses the second pointer associated with the buffer being an internal pointer for the buffer (see, e.g., section 9.1 (maxRead is the location of a null character within a character array buffer)).

As per claim 24, [Splint] discloses inserting an annotation at a first value having a first value type in the computer program code (see, e.g., p. 13, describing annotations);

wherein the annotation comprises a first instance of a keyword indicating that the first value satisfies all usability properties necessary to allow a first function to rely on the first value, wherein other instances of the keyword identical to the first instance are operable to indicate that

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other values having different respective value types satisfy all usability properties necessary to allow functions to rely on the respective other values, and wherein the usability properties depend on the value type (see, e.g., p. 13, describing annotations; section 7, beginning on p. 35, describing annotations for function parameters; section 4, describing type checking; section 7.5, describing requires and ensures clauses, where the keywords “requires” and “ensures” are usable in multiple type contexts).

As per claim 25, [Splint] further discloses the first value is a formal parameter of a first function (see, e.g., section 7, beginning on p. 35, describing annotations for function parameters).

As per claim 26, [Splint] further discloses the first value is a return value (see, e.g., section 7, beginning on p. 35, describing annotations for function parameters, and in particular, section 7.5 on p. 41, describing ensures clauses).

As per claim 27, [Splint] further discloses the first value type is scalar, void, pointer, user-defined type, or struct (see, e.g., section 4, describing type checking).

As per claim 28, [Splint] further discloses the first value is a reference parameter (see, e.g., section 9, beginning on p. 48, describing buffers accessed by pointers).

As per claim 29, [Splint] further discloses the first value is a pointer, wherein an object pointed to by the pointer has one or more readable elements, the one or more readable elements of the object each having usability properties sufficient to allow the first function to rely on the one or more readable elements (see, e.g., section 9, beginning on p. 48, describing buffers accessed by pointers).

Regarding claim 46, [Splint] further discloses the annotation further comprising an except qualifier (see, e.g., section 11.2.1, describing side effect free parameters).

As per claim 30, [Splint] discloses inserting an annotation having an argument in the computer program code, wherein the annotation annotates a value having a first declared value type with a first set of usability properties (see, e.g., p. 13, describing annotations; section 7, beginning on p. 35, describing annotations for function parameters; section 4, describing type checking);

wherein the annotation overrides the first set of usability properties of the first declared value type and indicates that the value has usability properties that depend on the properties of a second value type denoted by the argument of the annotation (see, e.g., pp. 24 and 57, describing the alt annotation; the alt annotation overrides the type checking by adding alternative types, which incorporates the type checking associated with the newly added types).

As per claim 31, [Splint] further discloses the first value type is a legacy value type (see, e.g., section 4.2, describing pre-ISO99 C Boolean representation).

As per claim 32, [Splint] further discloses the first value type is void * and wherein the second value type has a null-termination characteristic (see, e.g., p. 49, showing the annotated strncpy as returning void or alternatively a character buffer).

As per claim 33, [Splint] further discloses the first value type is char * and wherein the second value type has a null-termination characteristic (see, e.g., section 9.2).

As per claims 34 and 35, [Splint] discloses adding an annotation to the computer program code (see, e.g., p. 13, describing annotations), wherein the annotation describes a characteristic of a buffer (see, e.g., section 9.1, describing checking access to buffers); and including a size

parameter with the annotation, wherein the size parameter describes a portion of the buffer to which the characteristic applies, and wherein the size parameter is operable to describe the portion of the buffer using a size specification selected from a group of plural different size specifications comprising: byte count, element count, end pointer location, internal pointer location, sentinel position (see, e.g., section 9.1, describing the maxSet and maxRead properties).

As per claim 36, [Splint] further discloses the annotation indicates the extent to which the buffer is readable (see, e.g., section 9.1, describing the maxRead property).

As per claim 37, [Splint] further discloses the annotation indicates the extent to which the buffer is writable (see, e.g., section 9.1, describing the maxSet property).

Regarding claim 47, [Splint] discloses inserting at least one code annotation at a pointer to a data structure comprising plural elements (see, e.g., section 2, describing null dereferences, and section 7.4, describing state clauses on fields of a struct); wherein the at least one code annotation comprises an explicit dereference qualifier, and wherein the explicit dereference qualifier is operable to specify one or more properties of each of the plural elements of the data structure (see, e.g., section 2, describing null dereferences, and section 7.4, describing state clauses on fields of a struct).

Regarding claim 48, [Splint] further discloses the data structure being a buffer (see, e.g., section 2, describing null dereferences).

Regarding claim 49, [Splint] further discloses the data structure being a struct and wherein the plural elements are fields of the struct (see, e.g., section 7.4, describing state clauses on fields of a struct).

Regarding claim 50, [Splint] discloses:

reading from the annotated computer program code at least one annotation on a first pointer to a buffer, wherein the at least one annotation comprises a property that indicates a characteristic of the buffer, wherein the property that indicates the characteristic of the buffer takes a size argument, and wherein the size argument comprises a location of a second pointer associated with the buffer (see, e.g., the sample buffer annotations on p. 49 (in the first example, the size parameters are specified through maxSet (the highest address (i.e., a pointer) that can be safely used as an lvalue) and maxRead (the highest index of a buffer (i.e., a pointer specified as an offset) that can be safely used as an rvalue), and in the second example, an additional size argument, "size_t n" is provided and this size indicates the location of the end pointer of the buffer (i.e., as an offset));

processing the annotated computer program code based at least in part on the indicated characteristic of the buffer (see, e.g., section 9); and

outputting a result of the processing (see, e.g., Figure 21 on p. 51).

Regarding claim 51, [Splint] further discloses the characteristic is a readable extent of the buffer, and wherein the processing comprises determining whether the annotated computer program code includes a buffer overrun (see, e.g., section 9.1, describing the maxRead property).

Regarding claim 52, [Splint] further discloses wherein the characteristic is a writable extent of the buffer, and wherein the processing comprises determining whether the annotated computer program code includes a buffer overrun (see, e.g., section 9.1, describing the maxSet property).

Regarding claim 53, [Splint] discloses:

reading at least one annotation having an argument from the annotated computer program code, wherein the at least one annotation annotates a value having a first declared value type with a first set of usability properties, and wherein the annotation overrides the first set of usability properties of the first declared value type and indicates a second set of usability properties for the value that depend on the second value type denoted by the argument of the annotation (see, e.g., pp. 24 and 57, describing the alt annotation; the alt annotation overrides the type checking by adding alternative types, which incorporates the type checking associated with the newly added types);

processing the annotated computer program code based at least in part on the second set of usability properties for the value (see, e.g., pp. 24 and 57, describing uses of the alt annotation); and

outputting a result of the processing (the outputting of results is disclosed throughout the Splint manual (see, e.g., pp. 11-12), and various descriptions of warning message handling is found on pp. 24 and 57).

Regarding claim 54, [Splint] further discloses the second value type is a null-terminated string type (see, e.g., p. 49, showing the annotated strncpy as returning void or alternatively a character buffer).

Regarding claim 55, [Splint] further discloses the processing comprises determining whether the value satisfies the second set of usability properties (see, e.g., pp. 24 and 57, describing the functionality of the alt annotation).

Conclusion

Any new ground(s) of rejection presented in this Office action were necessitated by Applicant's amendment. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Eric B. Kiss whose telephone number is (571) 272-3699. The Examiner can normally be reached on Tue. - Fri., 7:00 am - 4:30 pm. The Examiner can also be reached on alternate Mondays.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Tuan Dam, can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any inquiry of a general nature should be directed to the TC 2100 Group receptionist:
571-272-2100.



Eric B. Kiss
October 29, 2007



TUAN DAM
SUPERVISORY PATENT EXAMINER